

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

ORIGINAL

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Application of Elite Coach :  
Limousine, Inc. For the : Docket Number:  
 additional right to transport, as : A-00114509F0002  
 a common carrier, by motor :  
 vehicle, persons in group and :  
 party service, in vehicles seating :  
 fifteen (15) passengers or less, :  
 including the driver, between :  
 points in the counties of Cambria, :  
 Indiana, Beaver, Butler, :  
 Armstrong, Fayette, Washington, :  
 Somerset and Westmoreland, and :  
 from points in said counties and :  
 the county of Allegheny, to points :  
 in Pennsylvania. :

Initial hearing :

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 Pages 1 through 5 State Office Building  
 Hearing Room 2  
 300 Liberty Avenue  
 Pittsburgh, Pennsylvania

Wednesday, August 22, 2001

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

FRED R. NENE, Administrative Law Judge

*J.M.*

DOCKETED

AUG 29 2001

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SECRETARY'S BUREAU

01 AUG 27 PM 1:35

Commonwealth Reporting Company, Inc.

700 Lisburn Road  
Camp Hill, Pennsylvania 17011

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WITNESS INDEX

WITNESSES

DIRECT CROSS REDIRECT RECROSS

(None)

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FORM 2

EXHIBIT INDEX

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
(None)	---	---

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FORM 2

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P R O C E E D I N G S

1  
2 ADMINISTRATIVE LAW JUDGE FRED R. NENE: All right. This  
3 is the time scheduled for the hearing on the Application of  
4 Elite Coach Limousine, Inc., at Docket Number A-00114509F0002.  
5 My name is Fred Nene, the Administrative Law Judge.

6 The Applicant has not appeared. The time now is 10:15.  
7 The hearing was scheduled for 10:00. In fact, there's no one  
8 in the courtroom. The Protestants have not appeared.

9 It did appear that some of the Protestants withdrew their  
10 protests. However, they have not all appeared to do so;  
11 specifically, the protest filed by Branick, B-a-r-a --- excuse  
12 me --- B-r-a-n-i-c-k Limousine Service, of Ebensburg ---  
13 Ebensburg, Pennsylvania.

14 I also have a question concerning the protest of  
15 Pittsburgh Transportation Company. Although I received a  
16 restrictive amendment, which appears to satisfy Pittsburgh  
17 Transportation Company, there has been no withdrawal of the  
18 protest filed in that Case.

19 In any event, the burden is on the Applicant to meet the  
20 requirements set forth in the Public Utility Code. By failing  
21 to appear for this hearing, the Applicant has failed to meet  
22 his burden of proof.

23 Notice of this hearing was sent to all parties, and I  
24 have not received a return of any of those notices, indicating  
25 that the post office was unable to deliver the notice.

1 The Application will be denied for the failure to meet  
2 the burden of proof. Thank you.

3 (Whereupon, at 10:17 a.m., the hearing was adjourned.)

4 C E R T I F I C A T E

5 I hereby certify, as the stenographic reporter, that the  
6 foregoing proceedings were taken stenographically by me, and  
7 thereafter reduced to typewriting by me or under my direction;  
8 and that this transcript is a true and accurate record to the  
9 best of my ability.

10 COMMONWEALTH REPORTING COMPANY, INC.

11 By: *James R. Obringer*  
James R. Obringer

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FORM 2